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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,838	03/12/2004	Randy L. Hoffman	200316548-1	8516
22879	7590	05/17/2006	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			PHAM, LONG	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,838

Applicant(s)

HOFFMAN ET AL.

Examiner

Long Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) 15-32 and 42-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 33-41 and 57-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/DS</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Rejection/Objections as previously applied

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, 4, 5, 7, 9, 12, 33, 34, 35, 36, and 37, as currently amended and 2, 6, 8, 10, 11, 13, 14, 38-41, and 57-67 as previously filed, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki et al. (EP 1134881) in combination with Cillessen et al. (WO 97/06554).

With respect to claims 1, 3, 4, 5, 7, 9, 12, 33, 34, 35, 36, and 37, as currently amended and 2, 6, 8, 10, 11, 13, 14, 38-41, and 57-67 as previously file, Kawasaki et al. in combination with Cillessen et al. teach the claimed invention.

Further with respect to claims 1, 12, and 33, one of the combinations of A, B, and C taught by Cillessen et al. would produce A, B, and C different from each other. See the rejection.

Further with respect to claim 12, since Kawasaki et al. in combination with Cillessen et al. teach the channel made of the claimed composition, the channel would be capable of controlling the current flow.

Further with respect to claim 33, Kawasaki et al. in combination with Cillessen et al. teach the composition has oxide or O. See the rejection.

Response to Arguments

Applicant's arguments with respect to claims 1-14, 33-41, and 57-67 have been considered but are moot in view of the new ground(s) of rejection.

In response to the applicant's arguments in the paragraphs on pages 17 and 18 of the amendment dated 03/03/06, it is submitted that Kawasaki et al. in combination with Cillessen et al. teach the claimed invention. Further, it is submitted that Cillessen et al. teach the channel composition comprises of Zn or

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Cd. See the rejection. Further, it is submitted that a prior art reference is evaluated by what it suggests to one versed in the art, rather than by its specific disclosure. In re Bozek, 163 USPQ 545 (CCPA 1969). Still further, it is submitted that a reference is considered not only for what it expressly states, but for what it would reasonably have suggested to one of ordinary skill in the art. In re DeLisle, 160 USPQ (CCPA 1969). In this particular case, Cillessen et al. teach the presence of Ga or In and Ge or Sn or Pb and Zn or Cd or Ga or In or Ge or Sn or Pb and Zn or Cd or Ga or In or Ge or Sn or Pb and Zn or Cd or Ga or In or Ge or Sn or Pb and Zn or Cd or Ga or In or Ge or Sn or Pb in metal compound would increase the charge carrier mobility, it would have been obvious to one skilled in the art to incorporate these into the channel metal compound to increase charge carrier mobility of the channel.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

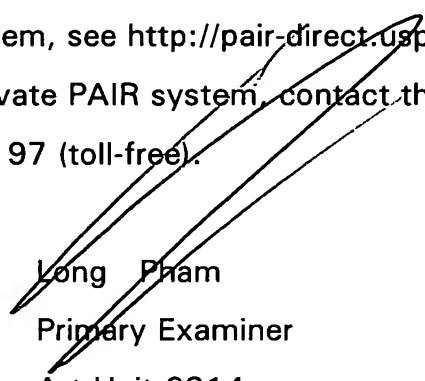
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 571-272-1714. The examiner can normally be reached on Mon-Frid, 10am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 571-272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Long Pham
Primary Examiner
Art Unit 2814

LP